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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

RICHARD LEES and  
PAUL ROSSMANGO,

Plaintiffs,

v.

MUNICH REINSURANCE AMERICA,  
INC., UNKNOWN JOHN DOES 1-5,  
UNKNOWN ABC CORPORATIONS 1-5,  
individually, jointly, and severally,

Defendants.

CIVIL ACTION NO.

NOTICE OF REMOVAL

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TO: THE HONORABLE JUDGES OF THE  
UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

Defendant Munich Reinsurance America, Inc. (hereinafter "Munich Re" or the "Company"), with its principal place of business at Princeton, New Jersey, by and through its attorneys, Constangy, Brooks & Smith, LLP, respectfully states:

1. Plaintiffs commenced this action on June 17, 2011 by filing a Complaint in the Superior Court of New Jersey, Law Division, Mercer County, entitled Richard Lees and Paul Rossmango v. Munich Reinsurance America, Inc., et al., Docket No. MER-L-1686-11. Said action is pending in that court.

2. Munich Re received its first notice of the Complaint on June 1, 2011, when plaintiffs allegedly served Defendant with copy of the Complaint.

3. A copy of the Complaint, which constitutes all of the processes and pleadings to date, is annexed hereto as Exhibit "A".

4. The above-captioned action is a civil action over which this Court has original jurisdiction and is one which may be removed to this Court by the Company in that:

a. Plaintiffs' Complaint against Munich Re is based on plaintiffs' purported rights under pension and severance plans.

b. Plaintiffs' alleged pension, severance and other benefits are subject to provisions of the Employee Retirement Income Security Act of 1974, as amended, 29 U.S.C. § 1001 et seq. ("ERISA").

c. This Court has original jurisdiction over the above-captioned action under ERISA, 29 U.S.C. § 1132(e)(1) without regard to amount in controversy and the provisions of 28 U.S.C. § 1331 and 28 U.S.C. § 1441.

d. This Court has pendant jurisdiction over plaintiffs' state and common law claims pursuant to 28 U.S.C. § 1367.


5. This Notice of Removal is filed within 30 days of Munich Re allegedly being served with the Complaint and therefore within the time provided by 28 U.S.C. § 1446(b) and the Federal Rules of Civil Procedure.

6. Upon filing of this Notice of Removal, Munich Re shall give written notice thereof to Paul A. Leodori, Esq. of the Law Offices of Paul Leodori, P.C., attorney for plaintiffs, and Munich Re shall file copies of said Notice of Removal with the Clerk, Superior Court of New Jersey, Law Division, Mercer County, New Jersey.

7. By filing this notice, Munich Re does not waive any defenses which may be available to it.

WHEREFORE, Munich Re requests the Court to remove the above-captioned action now pending against it in the Superior Court of New Jersey, Law Division, Mercer County, to the United States District Court for the District of New Jersey, wherein it shall proceed as an action originally commenced therein.

CONSTANGY, BROOKS & SMITH, LLP

By:   
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ROBERT H. BERNSTEIN  
A Member of the Firm

Date: June 30, 2011